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5 Attorneys for Plaintiffs PAUL O'SULLIVAN,
6 MARIE BROWN, KEO YANG, SARAH
7 BARSOUM, SIRINE DALLOUL, HALA HAWA,
8 MONIR HAWA, CONSTANCE MARGERUM,
9 DIANA BARLETT, YER VANG, and CHERIE
DAVIS, individually, and all those similarly
situuated

9 **DAVIS WRIGHT TREMAINE LLP**

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16 Attorneys for Defendants DIAMOND PARKING,
17 INC. and DIAMOND PARKING SERVICES,
18 LLC

19 **UNITED STATES DISTRICT COURT**

20 **NORTHERN DISTRICT OF CALIFORNIA**

21 PAUL O'SULLIVAN, MARIE }
22 BROWN, KEO YANG, SARAH }
23 BARSOUM, SIRINE DALLOUL, }
24 HALA HAWA, MONIR HAWA, }
25 CONSTANCE MARGERUM, DIANA }
26 BARLETT, YER VANG, and CHERIE }
27 DAVIS, individually, and all those }
28 similarly situated,

Plaintiff,

} Case No. C 07-03389 VRW

29 **STIPULATION AND [PROPOSED]
30 ORDER TO STAY ALL
31 PROCEEDINGS INCLUDING;
32 MOTION TO TRANSFER VENUE
33 AND FRCP RULE 26 DEADLINES;
34 DECLARATION OF JAMES A.
35 KRUTCIK**

36 vs.

37 DIAMOND PARKING, INC. , a }
38 Washington Corporation; DIAMOND }
39 PARKING SERVICES, LLC, a }
40 Washington Limited Liability }
41 Company; and DOES 1 through 500, }
42 inclusive,

43 Defendants.

1 **WHEREAS**, on May 21, 2007, Paul O'Sullivan, Marie Brown, Keo Yang,
 2 Sarah Barsoum, Sirine Dalloul, Hala Hawa, Monir Hawa, Constance Margerum,
 3 Diana Barlett, Yer Vang, and Cherie Davis, individually and on behalf of all those
 4 similarly situated ("PLAINTIFFS") filed an action against Diamond Parking, Inc.
 5 and Diamond Parking Services, LLC ("DEFENDANTS") alleging various violations
 6 of California wage and hour law;

7 **WHEREAS**, on June 28, 2007, DEFENDANTS filed a Notice to Adverse
 8 Parties of Removal to Federal Court and the Removal was granted;

9 **WHEREAS**, on July 27, 2007, DIAMOND PARKING INC. filed a Motion to
 10 Transfer Venue pursuant to 28 U.S.A. 1404 (a), which Motion is set for hearing on
 11 September 6, 2007;

12 **WHEREAS**, the parties have agreed to mediation and informal exchange of
 13 discovery, and to stay the entire action, including the Motion to Transfer Venue, for a
 14 period of 90 days pending the outcome of efforts to mediate this matter;

15 **IT IS AGREED AND STIPULATED**, by and between PLAINTIFFS and
 16 DEFENDANTS, through their respective counsel of record, that all matters in this
 17 action be stayed for 120 days, including:

- 18 1. A stay of DEFENDANTS' Motion to Transfer Venue pursuant to 28
 19 U.S.C. 1404(a), and a continuance of the hearing to a convenient date 90
 20 days hence;
- 21 2. The deadline(s) under Federal Rule of Civil Procedure 26;
- 22 3. All formal discovery under Federal Rules of Civil Procedure, including
 23 depositions; and
- 24 4. Any Motion for Certification of Class Action.

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1 **IT IS SO STIPULATED.**

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3 DATED: August 10, 2007

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6 **KRUTCIK & GEORGGIN**

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9 By: _____ /S/
10 James A. Krutcik, Esq.
11
12 Attorneys for PLAINTIFF

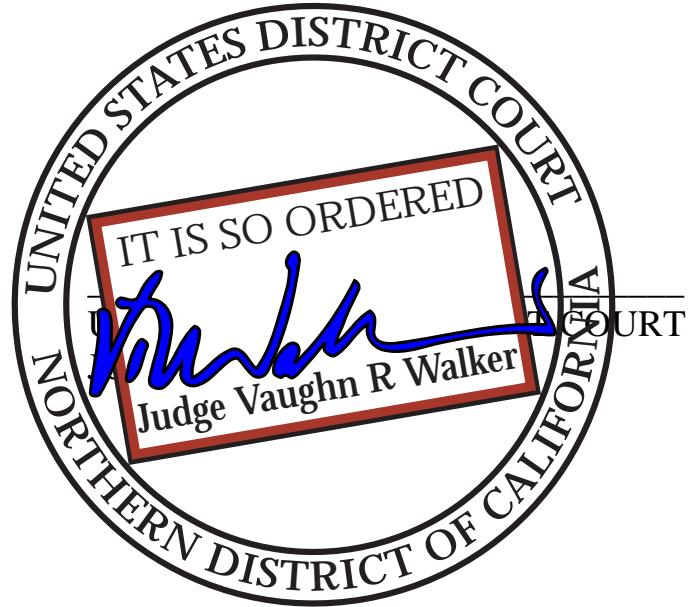
13 DATED: August 10, 2007

14 **DAVIS WRIGHT TREMAINE LLP**

15
16 By: _____ /S/
17 John P. LeCrone, Esq.
18 Attorneys for DEFENDANTS,
19 DIAMOND PARKING, INC. and
20 DIAMOND PARKING
21 SERVICES, LLC

22 **IT IS SO ORDERED**

23 DATED: _____
24 8/17/2007



1 **DECLARATION OF JAMES A. KRUTCIK IN SUPPORT OF STIPULATION**
 2 **TO STAY MOTION TO TRANSFER VENUE AND PENDING FRCP RULE**

3 **26 DEADLINES**

4 I, James A. Krutcik, hereby declare as follows:

5 1. I am an attorney at law duly licensed to practice before all of the courts
 6 of the State of California and the United States District Court for the Northern,
 7 Central and Southern Districts of California. I am a partner in the law firm of
 8 Krutcik & Georggin, attorneys for Plaintiffs, Paul O'Sullivan, Marie Brown, Keo
 9 Yang, Sarah Barsoum, Sirine Dalloul, Hala Hawa, Monir Hawa, Constance
 10 Margerum, Diana Barlett, Yer Vang, and Cherie Davis. I have personal knowledge
 11 of the facts stated herein, and if called as a witness, I could and would competently
 12 testify thereto.

13 2. On May 21, 2007, Paul O'Sullivan, Marie Brown, Keo Yang, Sarah
 14 Barsoum, Sirine Dalloul, Hala Hawa, Monir Hawa, Constance Margerum, Diana
 15 Barlett, Yer Vang, and Cherie Davis, individually and on behalf of all those similarly
 16 situated ("PLAINTIFFS") filed an action against Diamond Parking, Inc.
 17 ("DEFENDANTS") alleging various violations of California wage and hour law by
 18 DIAMOND PARKING, INC.

19 3. On June 28, 2007 DEFENDANTS filed a Notice to Adverse Parties of
 20 Removal to Federal Court and the Removal was granted.

21 4. On July 27, 2007, DIAMOND PARKING INC. filed a Motion to
 22 Transfer Venue pursuant to 28 U.S.A. 1404 (a).

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5. On August 2, 2007 the parties agreed to Stay all proceedings including the Motion to Transfer Venue; FRCP Rule 26 requirements; all formal discovery under the Federal Rules of Civil Procedure, including depositions; and any Motion for Certification of Class Action, pending the outcome of efforts to Mediate this matter.

Executed this 14th day of August, 2007 at Mission Viejo, California.